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DATE: March 22, 2005

PTO IDENTIFIER: Application Number 10/643,762  
Patent Number

Inventor: Andrew Kent et al.

MESSAGE TO: Examiner V. Q. Nguyen  
US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

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PAGES (Including Cover Sheet): 6

CONTENTS: Response to Restriction Requirement (2 pages)  
Petition for One-Month Extension of Time (2 copies) (2 pages)  
Certificate of Transmission (1 page)

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Application No. (if known): 10/643,762

Attorney Docket No.: 05986/000M673-USO

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Response to Restriction Requirement (2 pages)

Petition for One-Month Extension of Time (2 copies) (2 pages)

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MAR 22 2005

Docket No.: 05986/000M673-US0  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Andrew Kent et al.

Application No.: 10/643,762

Confirmation No.: 3914

Filed: August 19, 2003

Art Unit: 2827

For: HIGH SPEED LOW POWER MAGNETIC  
DEVICES BASED ON CURRENT INDUCED  
SPIN-MOMENTUM TRANSFER

Examiner: V. Q. Nguyen

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement set forth in the Office Action mailed February 4, 2005, applicants hereby provisionally elect the invention of Group I (claims 1-20 and 23-33) for prosecution in this application.

Applicants note that a restriction requirement was previously set forth in an earlier Office Action dated December 9, 2004, to which Applicants timely responded on January 10, 2005. In spite of Applicants' timely response, a second Office Action was issued on February 4, 2005, essentially containing the same restriction requirement.

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Additionally, applicants respectfully traverse the Restriction Requirement. The invention of Group II (claims 21-22) is directed to a method of magnetic switching used in conjunction with magnetic devices such as the ones which are the subject of various other of the pending claims in this application. As such, the invention of Group II can not properly be considered to be a completely separate invention from that of Group I. Accordingly, applicants request that the Restriction Requirement be withdrawn and that the claims of Group II also be examined on the merits in this application.

In view of Applicants' previous timely response to the first restriction requirement set forth in the December 9, 2004 Office Action, applicants respectfully submit that no fees are due in connection with this response. However, in view of the fact that a one-month period for response was set in the February 4, 2005 Office Action, to the extent that a one-month petition for extension of time and the corresponding fee are considered to be due in connection with a proper response to the February 4, 2005 Office Action, Applicants submit a Petition herewith and the Commissioner is hereby authorized to charge any such fee to Deposit Account 04-0100.

Dated: March 22, 2005

Respectfully submitted,

By

Pierre R. Yanney

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